

## DISCIPLINARY ACTIONS

### REVOCATIONS/PERMANENT SURRENDERS/RESIGNATIONS

**Michael L. Maag**, salesperson, Cambridge, Ohio had his license revoked and ordered to pay a \$1,000.00 civil penalty for having engaged in misconduct when he failed to cooperate with the investigation in case number 2012-000520. The conduct constituted a violation of Ohio Revised Code Section 4735.18(A)(6), misconduct, as that section incorporates Canons of Ethics for the Real Estate Industry, Section I, Article 3, which provides that a licensee should provide assistance wherever possible to the members and staff of the Real Estate Commission and Division of Real Estate in the enforcement of the licensing statutes and administrative rules and regulations. Additionally, in 2012, Mr. Maag incorrectly or wrongfully stated that he was the seller's agent for the subject property, or in the alternative, he failed to maintain transaction documents for a period of three years demonstrating he was the seller's agent for the subject property at that time. This conduct constituted a violation of Ohio Revised Code Section 4735.18(A)(6), misconduct; Ohio Revised Code Section 4735.18(A)(6), misconduct, as that section incorporates Canons of Ethics for the Real Estate Industry, Section I, Article 1, which provides that a licensee should endeavor to maintain and establish high standards of professional conduct and integrity in dealings with members of the public as well as with fellow licensees and, further, seek to avoid even the appearance of impropriety in any activities as a licensee; and/or Ohio Revised Code Section 4735.18(A)(24).

Lastly, when there was an attempt to purchase the subject property, he received a \$1000 down payment check but he failed within a reasonable time to remit this money coming into his possession when this particular attempt to purchase the subject property failed to close. This conduct constituted a violation of Ohio Revised Code Section 4735.18(A)(5); Ohio Revised Code Section 4735.18(A)(6), misconduct; and/or Ohio Revised Code Section 4735.18(A)(6), misconduct, as that section incorporates Canons of Ethics for the Real Estate Industry, Section I, Article 1, which provides that a licensee should endeavor to maintain and establish high standards of professional conduct and integrity in dealings with members of the public as well as with fellow licensees and, further, seek to avoid even the appearance of impropriety in any activities as a licensee.

**Michael S. Boyer**, broker, Rocky River, Ohio had his license revoked and ordered to pay a \$1,000.00 fine for failing to keep complete and accurate records of the transaction involving a subject property for a period of three years from the date of the transaction in violation of Ohio Revised Code Section 4735.18(A)(24) and/or he engaged in misconduct when he failed to cooperate with the investigation in case number 2012-000117 and provide the Division with copies of the transactions records involving the subject property in violation of Ohio Revised Code Section 4735.18(A)(6), misconduct, as that section incorporates Canons of Ethics for the Real Estate Industry, Section 1, Article 3, which provides that a licensee should provide assistance wherever possible to the members and staff of the Real Estate Commission and Division of Real Estate in the enforcement of the licensing statutes and administrative rules and regulations.

**James R. Cain**, salesperson, Wadsworth, Ohio had his license revoked for failing to obey or respond to one or more subpoenas issued to you by the Superintendent of the Division of Real Estate and Professional Licensing and/or you failed to provide assistance to the Division during its investigation of case number 2012-320. This conduct constituted a violation of Ohio Revised Code Section 4735.18(A)(6), misconduct as that section incorporates Ohio Administrative Code 1301:5-1-13 and/or Ohio Revised Code Section 4735.18(A)(6), misconduct, as that section incorporates the Canons of Ethics for the Real Estate Industry, Section I, Article 3, which provides that a licensee should provide assistance wherever possible to the members and staff

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of the Real Estate Commission and Division of Real Estate in the enforcement of the licensing statutes and administrative rules and regulations.

**Sean T. Long**, salesperson, Dayton, Ohio had his license revoked for his conviction that took place on or about September 25, 2013, in Common Pleas Court for Warren County, Ohio, case number 13CR29143. The conviction was a felony offense, specifically Abduction, a violation of Ohio Revised Code Section 2905.02(A)(2).

**Jill Levere**, salesperson, Granville, Ohio, had her license revoked for providing false or misleading testimony and/or evidence at a May 2013 Licking County Board of Revision hearing regarding the characteristics of the subject property's lower level (hereinafter referred to as "basement"); making arrangements for the "walling off" or concealment of a portion of the subject's basement; providing false or misleading testimony and/or evidence at an August 2013 Licking County Board of Revision hearing regarding the characteristics of the subject property's basement; providing false or misleading testimony at an August 2013 Licking County Board of Revision hearing regarding the rental of the subject property, or in the alternative, she lied or provided inaccurate or misleading information on a 2013 loan application as it pertained the leasing of two units in the subject property at the same time; misleading the Village of Granville official(s) as she stated in or around March of 2012 that she would discontinue renting units in the subject property, but she subsequently rented a unit in the subject property to Chad Dryden in May of 2012; and/or contributing to another providing false or misleading testimony about the subject property at an August 2013 Licking County Board of Revision hearing.

This conduct constituted a violation of Ohio Revised Code Section 4735.18(A)(1), Ohio Revised Code Section 4735.18(A)(6), misconduct and/or Ohio Revised Code Section 4735.18(A)(6), misconduct as that section incorporates Canons of Ethics for the Real Estate Industry, Section I, Article 1.

**David L. Printup**, broker, Blacklick, Ohio had his license revoked when he engaged in misconduct when he failed to cooperate with the investigation in this matter in violation of R.C. 4735.18(A)(6), misconduct, as that section incorporates Canons of Ethics for the Real Estate Industry, Section 1, Article 3, which provides that a licensee should provide assistance wherever possible to the members and staff of the Real Estate Commission and Division of Real Estate in the enforcement of the licensing statutes and administrative rules and regulations.

**Lee A. Sokolis**, salesperson, Cincinnati, Ohio, had her license revoked for failing to obey a subpoena issued to her by the Superintendent of the Division of Real Estate and Professional Licensing pursuant to Ohio Revised Code Section 4735.04 and/or failing to provide assistance to the Division during its investigation of case number 2012-748. This conduct constitutes a violation of Ohio Revised Code Section 4735.18(A)(6), misconduct as that section incorporates Ohio Administrative Code 1301:5-1-13 and/or Ohio Revised Code Section 4735.18(A)(6), misconduct, as that section incorporates the Canons of Ethics for the Real Estate Industry, Section I, Article 3, which provides that a licensee should provide assistance wherever possible to the members and staff of the Real Estate Commission and Division of Real Estate in the enforcement of the licensing statutes and administrative rules and regulations. Additionally, Ms. Sokolis, between September of 2010 and June of 2011, engaged in a continued course of misrepresentation when she told David Weinle and/or Linda Weinle that you would pay them the "extension fee" associated with the sale of the subject property. This conduct constituted a violation of Ohio Revised Code Section 4735.18(A)(3) and/or Ohio Revised Code Section 4735.18(A)(6), misconduct, as that section incorporates the Canons of Ethics for the Real Estate Industry, Section I, Article 1, which provides that a licensee should endeavor to maintain

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and establish high standards of professional conduct and integrity in dealings with members of the public as well as with fellow licensees and, further, seek to avoid even the appearance of impropriety in any activities as a licensee. Lastl she was the subject of an unsatisfied judgment rendered in January of 2012 in Hamilton County Municipal Court, Hamilton County, Ohio (Case Number 11CV25851). This conduct constituted a violation of Ohio Revised Code Section 4735.18(A)(29), having an unsatisfied final judgment in any court of record against the licensee arising out of the licensee's conduct as a licensed broker or salesperson.

### SUSPENSIONS, FINES, EDUCATION

**Edward L Von Hofen**, salesperson, Amherst, Ohio, was ordered to pay a \$500.00 fine and to complete and submit to the Division proof of completion 3 hours additional education in ethics and 3 hours of additional education in core law for giving keys to the subject property to the purchaser's agent and allowing the purchaser to enter and/or take possession of the subject property prior to the Possession Date as stated in the Purchase Agreement. This conduct constituted a breach of fiduciary duty and failure to exercise reasonable skill and care in representing one's client in violation of Ohio Revised Code Section 4735.18(A)(9) as it incorporates Ohio Revised Code Section 4735.62(A) and/or a violation of Ohio Revised Code Section 4735.18(A)(6) misconduct as it incorporates the Canons of Ethics Article 1 Section 1.

**Eric Edward Knox Sr.**, salesperson, Akron, Ohio, was ordered to pay a \$300.00 fine and to complete and submit to the Division proof of completion of additional education in the 10-hour sales post-licensure course for returning the earnest money deposit to the buyer prior to the seller of the subject property signing the notice of termination, which was to contain written instructions regarding the disbursement of the earnest money deposit. This conduct constituted a violation of Ohio Revised Code Section 4735.18(A)(6), misconduct. Additionally, Mr. Knox failed to properly complete the notice of termination when he failed to indicate or state who was to receive the earnest money deposit. This conduct constituted a violation of Ohio Revised Code Section 4735.18(A)(6), misconduct and/or Ohio Revised Code Section 4735.18(A)(9) as that section incorporates Ohio Revised Code Section 4735.62(A).

**Lawrence P Borosh**, broker, Cleveland, Ohio had his license suspended for 15 days, was ordered to pay a \$1500.00 fine and ordered to complete and submit to the Division proof of completion of additional education in the 10-hour broker post-licensure course for using his company trust account for purposes other than the deposit or maintenance of escrow funds, security deposits and/or moneys received as a real estate broker in a fiduciary capacity; and/or failing to use that trust account in compliance with Ohio Administrative Code Rule 1301:5-5-08(C). The trust account was utilized to maintain funds and/or issue payments for personal goods, services or expenses not related to the activities of a real estate broker in a fiduciary capacity. This conduct constituted a violation of Ohio Revised Code Section 4735.18(A)(6), misconduct and/or Ohio Revised Code Section 4735.18(A)(26) as that section incorporates Ohio Administrative Code Rule 1301:5-5-08(C).

In addition, deposit tickets or checks drawn on the brokerage trust account failed to bear the words "trust account" or "special account". This conduct constituted a violation of Ohio Revised Code Section 4735.18(A)(6) and/or Ohio Revised Code Section 4735.18(A)(26) as that section incorporates Ohio Administrative Code Rule 1301:5-5-08(B).

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**John C Mull**, broker, Perrysburg, Ohio, had his license suspended for 60 days, was ordered to pay a \$500.00 fine and to complete and submit to the Division proof of completion 3 hours additional education in ethics and 3 hours of additional education in core law for not requiring an offer to be presented in writing with all forms and documentation required from his client and creating the appearance that he ensured Mr. Helminiak placed the winning bid in violation of R.C. 4735.18 (A)(6), misconduct as it incorporates the Canons of Ethics for the Real Estate Industry, Section I, Article 1, failing to provide an Agency Disclosure Statement prior to preparing an offer to seller, in violation of R.C. 4735.18(A)(9) as it incorporates R.C. 4735.58(A)(1), failing to provide your Brokerage Policy on Agency prior to submitting an offer to the seller, your other client, in violation of R.C. 4735.19(A)(9) as it incorporates R.C. 4735.56(D)(5), failing to reduce the offer to writing before submitting it to seller, your other client, in violation of R.C. 4735.18(A)(6) misconduct as it incorporates Canons of Ethics for Real Estate Industry, Section II Article 9.

**Christine R Snyder**, salesperson, Medina, Ohio, was ordered to complete and submit to the Division proof of completion 3 hours additional education in core law for incorrectly advertising in the multiple listing service and/or on the internet that the subject property's condominium complex was the "only condos in Wadsworth approved for FHA Financing" and/or FHA financing was available when in fact the subject property's condominium complex was not approved for FHA financing. This conduct is in violation of Ohio Revised Code Section 4735.18(A)(3), Ohio Revised Code Section 4735.18(A)(21) and/or Ohio Revised Code Section 4735.18(A)(6), misconduct.

**Christopher L. Reed**, salesperson, Columbus, Ohio, was ordered to pay a \$5000.00 fine and to complete and submit to the Division proof of completion of additional education in the 10-hour sales post-licensure course and 3 hours of ethics for entering into an arrangement, either directly or indirectly, whereby he lent his name and/or team name for the benefit of another, in violation of R.C. 4735.18(A)(6), misconduct, as that section incorporates O.A.C. 1301:5-1-14, permitting and/or authorizing another to schedule and/or conduct showings under the name Christopher Reed; when his salesperson license was affiliated with Classic Properties, LLC; and the other individual's salesperson license was affiliated with a different brokerage. This conduct is in violation of R.C. 4735.18(A)(6), misconduct as that section incorporates the Canons of Ethics for the Real Estate Industry, Section I, Article 1 and/or the Canons of Ethics for the Real Estate Industry, Section I, Article 2.

**Allen H Hotchkiss**, broker, Toledo, Ohio was ordered to complete and submit to the Division proof of completion 3 hours additional education in ethics and 3 hours of additional education in core law for entering or attempting to enter the subject property in without authorization from the subject property's owner or the subject property's real estate sales agent. This conduct constitutes a failure to maintain and establish high standards of professional conduct and integrity in dealings with members of the public as well as with fellow licensees and further, seek to avoid even the appearance of impropriety in any activities as a licensee in violation of R.C. 4735.18(A)(6), misconduct, as that section incorporates the Canons of Ethics for the Real Estate Industry, Section I, Article 1.

**Gregory R Babbitt**, broker, Lewis Center, Ohio was ordered to complete and submit to the Division proof of completion 3 hours additional education in ethics and 3 hours of additional education in core law for failing to provide his client with his brokerage policy on agency and/or failed to obtain his client's signature acknowledging receipt or failed to note that his client refused to provide signature in violation of R.C. 4735.18(A)(9) as it incorporates R.C.

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4735.56(C), demanding without reasonable cause a commission to which he was not entitled in violation of R.C. 4735.18(A)(10).

**Marsha Allen Byrum**, salesperson, Oxford, Ohio was ordered to pay a \$300.00 fine complete and to submit to the Division proof of completion of 3 hours additional education in ethics and 3 hours of additional education in core law for advising an individual to sign a "Grant of Authority" document and explaining that you would have the "Grant of Authority" document notarized at a later point, which would be contrary to the notary's sworn statement in the document. This constitutes a violation of Ohio Revised Code Section Ohio Revised Code Section 4735.18(A)(6), misconduct and/or Ohio Revised Code Section 4735.18(A)(6), misconduct as that section incorporates Canons of Ethics Section I, Article 1 which provides that a licensee should endeavor to maintain and establish high standards of professional conduct and integrity in dealings with members of the public as well as with fellow licensees and, further, seek to avoid even the appearance of impropriety in any activities as a licensee, advising an individual to avoid telling an employee at Union Savings Bank that she was not living in the subject property at that time and/or avoid telling the bank that the subject property was being used as a rental at that time. This constitutes a violation of Ohio Revised Code Section Ohio Revised Code Section 4735.18(A)(6), misconduct and/or Ohio Revised Code Section 4735.18(A)(6), misconduct as that section incorporates Canons of Ethics Section I, Article 1 which provides that a licensee should endeavor to maintain and establish high standards of professional conduct and integrity in dealings with members of the public as well as with fellow licensees and, further, seek to avoid even the appearance of impropriety in any activities as a licensee.

**Kevin Sullivan**, salesperson, Columbus, Ohio was ordered to pay a \$250.00 fine and to submit to the Division proof of completion of 3 hours additional education in core law for providing the subject property lock box code to an individual, who called you when you failed to show for your appointment to show the subject property, which gave this individual unsupervised access and/or entry into the subject property. This conduct constitutes a violation of Ohio Revised Code Section 4735.18(A)(6), misconduct and/or a failure to maintain and establish high standards of professional conduct and integrity in dealings with members of the public in violation of Ohio Revised Code Section 4735.18(A)(6), misconduct, as that section incorporates the Canons of Ethics for the Real Estate Industry, Section I, Article 1.

**Marilyn C Gallese**, salesperson, Wickliffe, Ohio was ordered to pay a \$500.00 fine and to submit to the Division proof of completion of 3 hours additional education in core law for publishing misleading advertising on the MLS identifying a property as "Lake Front" when in fact the property did not have any frontage on Lake Erie and was not Lake Front but rather had a Lake View. This conduct constitutes a violation of Ohio Revised Code Section 4735.18(A)(21) having published advertising that is misleading or inaccurate in any material particular.

**Carmen N Mazza**, broker, Niles, Ohio had his license suspended for 15 days, was ordered to pay a \$1000.00 fine and ordered to complete and submit to the Division proof of completion of additional education in the 10-hour broker post-licensure course for failing within a reasonable time to account for or remit any money coming into your possession which belonged to another in violation of Revised Code section 4735.18(A)(5), failing to exercise reasonable skill and care in representing the sellers when he failed to ensure that he updated the listing agreement and/or received the seller's prior written consent to advertise the property in the MLS. This conduct constitutes a violation of R.C. 4735.18(A)(9) as that section incorporates R.C. 4735.62(A), offering the property for sale or for lease without the knowledge and consent of the owner or the

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owner's authorized agent when the property continued to be advertised in the MLS after the expiration of the listing agreement. This conduct is in violation of R.C. 4735.18(A)(20), maintaining an Exclusive Right to Sell Listing Contract for the property that did not contain the correct fair housing language in violation of R.C. 4735.18(A)(9) as that section incorporates R.C. 4735.55(A)(2), maintaining an Exclusive Right to Sell Listing Contract for the property that did not contain a statement defining the practice known as "blockbusting" and stating blockbusting is illegal in violation of R.C. 4735.18(A)(9) as that section incorporates R.C. 4735.55(A)(3), maintaining a Consumer Guide to Agency Relationships that did not contain the correct fair housing language in violation of R.C. 4735.18(A)(9) as that section incorporates R.C. 4735.55(A)(2).

**Leonard A Partin**, broker, Port Clinton, Ohio was ordered to complete and submit to the Division proof of completion of additional education in the 10-hour broker post-licensure course for presenting an offer directly after your agency agreement had expired and after you were aware the seller had executed an exclusive right to sell agreement with another real estate licensee. This conduct is in violation of R.C. 4735.18(A)(6), misconduct as it incorporates the Canons of Ethics for the Real Estate Industry, Section I, Article 1.

**Al E Kriss**, broker, Bratenahl, Ohio was ordered to complete and submit to the Division proof of completion of additional education in the 10-hour broker post-licensure course for authorizing or permitting an individual, who was not then licensed as a real estate broker or real estate salesperson under Chapter 4735, to act as an agent in the capacity of a real estate broker or a real estate salesperson in violation of R.C. 4735.18(A)(34) and/or R.C. 4735.18(A)(6), misconduct, as that section incorporates Canons of Ethics Section I, Article 4 which provides that the licensee should be knowledgeable of the laws of Ohio pertinent to real estate.

**Jennifer L Dorbish**, salesperson, Canfield, Ohio was ordered to pay a \$200.00 fine and to complete and submit to the Division proof of completion of additional education in the 10-hour sales post-licensure course for failing to endeavor to maintain and establish high standards of professional conduct and integrity in dealings with members of the public as well as with fellow licensees in failing to timely disclose to the seller's agent that your buyer had not deposited the earnest money as required by the contract and/or that the purchase contract contingency requiring approval by the buyer's company had not been met in violation of R.C. 4735.18(A)(6), misconduct, as that section incorporates Canons of Ethics, Section I, Article 1.

**Tosha L Gerhart**, salesperson, Mansfield, Ohio was ordered to submit to the Division proof of completion of additional education in the 10-hour sales post-licensure for providing services that requires a real estate sales license when your license was suspended in violation of R.C. 4735.18(A)(6), misconduct, as that section incorporates R.C. 4735.02 which provides that no person shall provide services that require a license under this chapter if the licensee's license is suspended.

**James B Roth**, broker, Hamilton, Ohio had his licensed suspended for 10 days, was ordered to pay a \$1000.00 fine and ordered to complete and submit to the Division proof of completion of additional education in the 10-hour broker post-licensure course for having knowledge and/or permitting your salesperson, to engage in property management outside of your brokerage. This conduct is in violation of R.C. 4735.18(B) which provides that discipline may be imposed upon the broker with whom the salesperson is affiliated if the commission finds that the broker had knowledge of the salesperson's action.

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**M Teresa Harrison**, salesperson, Dublin, Ohio was given a public reprimand and ordered to submit to the Division proof of completion 3 hours additional education in core law for failing to ensure that the property was properly secured after you left the showing thus leaving the key to the property in the dead-bolt of the front door to the occupied property after you left the showing in violation of R.C. 4735.18(A)(6) gross negligence, incompetency and/or misconduct.

**Richard J Obrien**, broker, Youngstown, Ohio had his license suspended for 30 days and was ordered to pay a \$500.00 fine and to complete and submit to the Division proof of completion 3 hours additional education in ethics and 3 hours of additional education in core law for failing to present to the seller, his client, in a timely manner an offer to purchase the subject, or you failed to exercise reasonable skill and care in representing the seller regarding your confirmation that the seller had received the offer. This conduct constitutes a violation of Ohio Revised Code Section 4735.18(A)(6), misconduct or Ohio Revised Code Section 4735.18(A)(9) as it incorporates Ohio Revised Code Section 4735.62(A).

**Cheri Marie Secre**, salesperson, Poland, Ohio was ordered to complete and submit to the Division proof of completion 3 hours additional education in ethics and 3 hours of additional education in agency for searching and/or attempting to take some of a homeowner's medication in violation of R.C. 4735.18(A)(6) gross negligence, incompetency and/or misconduct and R.C. 4735.18(A)(6), misconduct that section incorporates Canons of Ethics, Section I, Article 1 for failing to endeavor to maintain and establish high standards of professional conduct and integrity in dealings with members of the public

**Therese M Dunwoodie**, salesperson, New London, Ohio had her license suspended for 30 days and was ordered to pay a \$500.00 fine for transferring or removing records from David M. King Realty, Ltd, LLC (hereinafter referred to as King Realty) without the permission of the broker. More specifically, files were transferred or from a King Realty server to her flashdrive and one or more of the following records was transferred or removed from the King Realty server to your flashdrive: listing agreements or exclusive right to sell agreements; pictures of real estate; advertisements; buyers' information; bank statements for King Realty; credit card statements for David M. King; statements of revenue and expenses for King Realty; and/or listing files for King Realty. Accordingly, such violated Ohio Revised Code Section 4735.18(A)(6), misconduct and/or Ohio Revised Code Section 4735.18(A)(6), misconduct as that section incorporates the Canons of Ethics Section I, Article 1 which provides that a licensee should endeavor to maintain and establish high standards of professional conduct and integrity in dealings with members of the public as well as with fellow licensees and, further, seek to avoid even the appearance of impropriety in any activities as a licensee.

**Diana J Eyink**, broker, Celina, Ohio was ordered to complete and submit to the Division proof of completion 3 hours additional education in ethics and 3 hours of additional education in core law for, during the term of her exclusive listing agreement, failing to communicate with her client and exercise reasonable skill and care in performing her duties. This conduct constituted a breach of her fiduciary duty and failure to exercise reasonable skill and care in representing your client in violation of Ohio Revised Code Section 4735.18(A)(9) as it incorporates Ohio Revised Code Section 4735.62(A) and/or a violation of Ohio

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Revised Code Section 4735.18(A)(6) misconduct as it incorporates the Canons of Ethics Article 1 Section 1.

### Dailey

**Linda K McKee**, salesperson, Circleville, Ohio was ordered to was ordered to pay a \$2000.00 fine complete and to submit to the Division proof of completion of 3 hours additional education in ethics and 3 hours of additional education in core law for signing her broker's name without her permission on or about November 14, 2013 on Michael E. Logan's Real Estate Retake Application with the intention and expectation that the application would be filed with and accepted by the division. She also signed her broker's name without her permission on a Real Estate Retake Application faxed to your broker by Michael E. Logan on May 8, 2014 and then caused that application to be sent to the Division with the intention that the application be filed and accepted by the Division. Accordingly, this conduct violated Ohio Revised Code Section 4735.18(A)(6) dishonest or illegal dealings, gross negligence, or misconduct and Ohio Revised Code Section 4735.18(A)(6) as it incorporates Canon of Ethics Section 1 Article 1, the licensee should endeavor to maintain and establish high standards of professional conduct and integrity.

**Michael E Logan**, salesperson, Circleville, Ohio was ordered to was ordered to pay a \$2000.00 fine complete and to submit to the Division proof of completion of 3 hours additional education in ethics and 3 hours of additional education in core law for allowing and participating in having Linda K. McKee sign your broker's, name on your application without her permission on or about November 14, 2013 with the intention and expectation that the application would be filed with and accepted by the division. He also allowed and participated in having Linda K. McKee sign his broker's name on the application he had faxed to his broker from the Division on May 8, 2014 and knew or should have known that the application would immediately faxed back to the Division with the intention that the application be filed and accepted allowing you to retake the Real Estate Broker's examination. Accordingly, this conduct violated Ohio Revised Code Section 4735.18(A)(6) dishonest or illegal dealings, gross negligence, or misconduct and Ohio Revised Code Section 4735.18(A)(6) as it incorporates Canon of Ethics Section 1 Article 1, the licensee should endeavor to maintain and establish high standards of professional conduct and integrity.

### UNLICENSED ACTIVITY

**Wayne Christopher**, a person not licensed under Ohio Revised Code 4735, Nova, Ohio was ordered to pay a civil penalty of \$2,682.50 for committing between the period of August 17, 2010 through on or about March 9, 2011, up to 204 violations of RC 4735.02 by renting, leasing or negotiating the rental or lease of the subject property; offering, attempting, and agreeing to negotiate the rental or leasing of the subject property; managing or offering, or attempting to operate or manage the subject property; and/or holding himself out as engaging in the selling, exchanging, purchasing, renting, or leasing of real estate. In addition, with respect to a second subject property, Mr. Christopher committed between the period of August 17, 2010 through on or about March 9, 2011, up to 374 violations of RC 4735.02 by renting, leasing or negotiating



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the rental or lease of the subject property; offering, attempting, and agreeing to negotiate the rental or leasing of the subject property; managing or offering, or attempting to operate or manage the subject property; and/or holding himself out as engaging in the selling, exchanging, purchasing, renting, or leasing of real estate.

**Carl Wuestehube**, an individual not licensed under Ohio Revised Code Chapter 4735, Dana Point, California, was ordered to pay a civil penalty of \$1,476,000.00 for committing 1476 violations of RC 4735.02 which provides that no person, partnership, association, limited liability company, limited liability partnership, or corporation shall advertise, act or assume to act as a real estate broker or real estate salesperson without first being licensed under RC 4735.

**Tri Star Realty**, a company not licensed under Ohio Revised Code Chapter 4735, Dana Point, California, was ordered to pay a civil penalty of \$1,476,000.00 for committing 1476 violations of RC 4735.02 which provides that no person, partnership, association, limited liability company, limited liability partnership, or corporation shall advertise, act or assume to act as a real estate broker or real estate salesperson without first being licensed under RC 4735.

**Delitha Gail Sparks**, a person not licensed under Ohio Revised Code 4735, Cleveland, Ohio, was ordered to pay a civil penalty of \$1,499,000.00 for committing between the period of August 23, 2010 until on or about March 17, 2011, 149 violations of 4735.02 by renting, or leasing or negotiating the rental or lease of the subject property; offering, attempting, or agreeing to negotiate the rental or leasing of the subject property; managing or offering, or attempting to operate or manage the subject property; and/or holding himself out as engaged in the selling, exchanging, purchasing, renting, or leasing of real estate for another, for a fee, commission, or other valuable compensation or the expectation of a fee, commission, or other compensation. The conduct constituted 82 violations of R.C. 4735.02, which provides that no person, partnership, association, limited liability company, limited liability partnership, or corporation shall advertise, act or assume to act as a real estate broker or real estate salesperson, without first being licensed under R.C. Chapter 4735.

**GOA Realty, LLC**, Cleveland, Ohio, a company not licensed under Ohio Revised 4735 was ordered to pay a civil penalty of \$1,499,000.00 for committing between the period of August 23, 2010 until on or about March 17, 2011, 149 violations of 4735.02 by renting, or leasing or negotiating the rental or lease of the subject property; offering, attempting, or agreeing to negotiate the rental or leasing of the subject property; managing or offering, or attempting to operate or manage the subject property; and/or holding himself out as engaged in the selling, exchanging, purchasing, renting, or leasing of real estate for another, for a fee, commission, or other valuable compensation or the expectation of a fee, commission, or other compensation. The conduct constituted 82 violations of R.C. 4735.02, which provides that no person, partnership, association, limited liability company, limited liability partnership, or corporation shall advertise, act or assume to act as a real estate broker or real estate salesperson, without first being licensed under R.C. Chapter 4735.

**Paul Marcel- Rene**, Akron, Ohio, a person not licensed under Ohio Revised Code 4735, Akron, Ohio was ordered to pay a civil penalty of \$82,000.00 for committing 82 violations of RC 4735.02 by renting, or leasing or negotiating the rental or lease of the subject property; offering,

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attempting, or agreeing to negotiate the rental or leasing of the subject property; managing or offering, or attempting to operate or manage the subject property; and/or holding himself out as engaged in the selling, exchanging, purchasing, renting, or leasing of real estate for another, for a fee, commission, or other valuable compensation or the expectation of a fee, commission, or other compensation. The conduct constituted 82 violations of R.C. 4735.02, which provides that no person, partnership, association, limited liability company, limited liability partnership, or corporation shall advertise, act or assume to act as a real estate broker or real estate salesperson, without first being licensed under R.C. Chapter 4735.

**Our Wives Are In Charge, LLC**, Akron, Ohio, a company not licensed under Ohio Revised Code Chapter 4735 was ordered to pay \$82,000.00 for committing 82 violations of RC 4735.02 by renting, or leasing or negotiating the rental or lease of the subject property; offering, attempting, or agreeing to negotiate the rental or leasing of the subject property; managing or offering, or attempting to operate or manage the subject property; and/or holding himself out as engaged in the selling, exchanging, purchasing, renting, or leasing of real estate for another, for a fee, commission, or other valuable compensation or the expectation of a fee, commission, or other compensation. The conduct constituted 82 violations of R.C. 4735.02, which provides that no person, partnership, association, limited liability company, limited liability partnership, or corporation shall advertise, act or assume to act as a real estate broker or real estate salesperson, without first being licensed under R.C. Chapter 4735.

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### REVOCATIONS/PERMANENT SURRENDERS/RESIGNATIONS

**Jeffrey A Corry**, salesperson, Lewis Center, Ohio, had his license revoked, for his conviction in the United States District Court for the Southern District of Ohio, of one felony offense, specifically conspiracy to commit money laundering, in violation of 18 U.S.C. 1956(h). The felony conviction also constitutes a violation of Ohio Revised Code Section 4735.18(A) and/or Ohio Revised Code Section 4735.18(A)(6), misconduct as that section incorporates the Canons of Ethics, Section I, Article 1, which constitutes a failure to maintain and establish high standards of professional conduct and integrity in dealings with members of the public as well as with fellow licensees and, further, seek to avoid even the appearance of impropriety in any activities as a licensee.

**Gene Johnson**, broker, Reynoldsburg, Ohio, had his license revoked and he was ordered to pay a \$5,000.00 fine for his conviction on or about December 28, 2012, in Franklin County Court of Common Pleas, of one felony offense, specifically theft, in violation of Ohio Revised Code Section 2913.02. The felony conviction also constitutes a violation of Revised Code Section 4735.18(A). The above conduct also constitutes a failure to maintain and establish high standards of professional conduct and integrity in dealings with members of the public as well as with fellow licensees and, further, seek to avoid even the appearance of impropriety in any activities as a licensee in violation of Ohio Revised Code Section 4735.18(A)(6), as that section incorporates the Canons of Ethics, Section I, Article 1.

**Mary Murphy**, salesperson, Blacklick, Ohio, had her license revoked for her convictions on or about July 27, 2012, in Franklin County Court of Common Pleas, of three felony offenses, specifically, one felony of the fourth degree of Theft, in violation of ORC 2913.02 and two felonies of the fifth degree of Receiving Stolen Property, in violation of ORC 2921.12. Those felony convictions also constitute three violations of Revised Code Section 4735.18(A) and also constitutes a failure to protect the public against fraud, misrepresentation or unethical practices in real estate transactions and failed to endeavor to eliminate in the community, any practices which could be damaging to the public or to the integrity of the real estate profession in violation of R.C. 4735.18(A)(6), misconduct, as that section incorporates the Canons of Ethics, Section I, Article 2.

**Michael J.A. Boyd II**, salesperson, Lancaster, Ohio, had his license revoked for his conviction on or about May 25, 2012, in Franklin County Court of Common Pleas, of a second degree felony offense, specifically, one count Aggravated Arson, in violation of Revised Code Section 2909.02. The felony conviction also constitutes a violation of Revised Code Section 4735.18(A). His conduct also constituted a failure to protect the public against fraud, misrepresentation or unethical practices in real estate transactions and a failure to endeavor to eliminate in the community, any practices which could be damaging to the public or to the integrity of the real estate profession in violation of R.C. 4735.18(A)(6), misconduct, as that section incorporates the Canons of Ethics, Section I, Article 2. He also procured a license under Chapter 4735 of the Ohio Revised Code by fraud, misrepresentation, or deceit in violation of R.C. 4735.18(A)(8), when he failed to disclose on his November 23, 2011, license examination application that he had been the subject of unsatisfied judgments.

**William Snyder**, salesperson, Parma, Ohio, had his license revoked for being the salesperson owner of the brokerage, Classic Realty Group, and failing within a reasonable time to assure the brokerage accounted for or remitted any money coming into the brokerage's possession which belonged to another when the brokerage failed to forward the charitable donations to the

## DISCIPLINARY ACTIONS

Children's Miracle Network. This conduct is a violation of R.C. 4735.18(A) (6), misconduct as that section incorporates Section 1, Article 1 of the Canons of Ethics for the Real Estate Industry and this conduct is also a failure to endeavor to eliminate in the community, any practices which could be damaging to the public or to the integrity of the real estate profession in violation of R.C. 4735.18(A) (6), as that section incorporates the Canons of Ethics, Section I, Article 2.

**Ronald Byrd**, broker, Dayton, Ohio had his license revoked for his conviction on or about October 4, 2012, in the United States District Court for the Southern District of Ohio, Case Number 3:12CR043-1, of a felony offense, specifically, one count of Conspiracy to Commit Wire Fraud and Bank Fraud, in violation of 18 USC Section 1343, 1349 and 1341. The felony conviction also constitutes a violation of Revised Code Section 4735.18(A). His conduct also constitutes a failure to protect the public against fraud, misrepresentation or unethical practices in real estate transactions and failed to endeavor to eliminate in the community, any practices which could be damaging to the public or to the integrity of the real estate profession. This constitutes a violation of R.C. 4735.18(A)(6), misconduct, as that section incorporates the Canons of Ethics, Section I, Article 2. He also failed to satisfy his plea agreement to surrender his real estate license to the Division of Real Estate & Professional Licensing at or before the date of his sentencing hearing. This constitutes a violation of R.C. 4735.18(A)(6), misconduct, as that section incorporates the Canons of Ethics, Section I, Article 1.

### SUSPENSIONS, FINES, EDUCATION

**Robert Gladys**, salesperson, Middleburg Hts. Ohio, had his license suspended for 15 days and was ordered to pay a \$600.00 fine and to complete and submit proof of completion to the Division 3 hours additional education in ethics for providing his client with permission to enter the subject property as he were leaving the showing which resulted in his client's unsupervised entry into the subject property. This conduct constitutes a breach of his fiduciary duty and failure to exercise reasonable skill and care in representing his clients in violation of Ohio Revised Code Section 4735.18(A)(9) as it incorporates Ohio Revised Code Section 4735.62(A).

**Cathy Martin**, salesperson, Centerville, Ohio was issued a Public Reprimand and ordered to pay a fine in the amount of \$200.00 for failing to display her name in equal prominence with the name of the brokerage, "Home Town Realty," in violation of R.C. 4735.18(A)(21) as it incorporates R.C. 4735.16(B)(3).

**Dennis Klein**, salesperson, Cleveland, Ohio, was ordered to pay a \$250.00 fine and to complete and submit proof of completion to the Division 3 hours of additional education in agency for failing to correctly complete the agency disclosure statement. This conduct constitutes a violation of Ohio Revised Code Section 4735.18(A)(6), misconduct as that section incorporates Ohio Revised Code Section 4735.58(A)(2).

**Scott Cannatelli**, salesperson, West Chester, Ohio was ordered to pay a fine in the amount of \$500.00 and required to complete and submit to the Division 3 hours of additional education in ethics and 3 hours of additional education in agency for failing to maintain high standards of professional conduct and integrity in dealing with your client in violation of Ohio Revised Code Section 4735.18(A)(6) misconduct as it incorporated the Cannon of Ethics Section 1 Article 1.

**Betty Belding**, salesperson, Columbiana, Ohio had her license suspended for 30 days, was ordered to complete and submit proof of completion to the Division 3 hours of additional

## DISCIPLINARY ACTIONS

education in ethics and to pay a \$200.00 fine for failing to obtain the written consent of the sellers when she ended her agency relationship with the sellers and began representing herself when she made an offer to purchase. This conduct constitutes a violation of R.C. 4735.18(A)(9) as that section incorporates R.C. 4735.59. Ms. Belding also failed to promptly notify the Milhoans, whom she represented as a dual agent on the Milhoans' offer to purchase, that she was changing the original agency relationship with the sellers. This conduct constitutes a violation of R.C. 4735.18(A)(9) as that section incorporates R.C. 4735.59. She further failed to properly complete the December 2011 Agency Disclosure Form involving her purchase offer when she failed to identify the agent and real estate brokerage representing only the buyer. This conduct constitutes a violation of R.C. 4735.18(A)(6), misconduct. Lastly, Ms. Belding contacted the Milhoans, whom she represented as a dual agent on the Milhoans' offer to purchase, informed them that another offer was being presented to the seller and asked the Milhoans if they wanted change their previous offer and failed to disclose to the Milhoans that she was the person making an offer on the properties. This conduct is in violation of R.C. 4735.18(A)(6), misconduct, as that section incorporates the Canons of Ethics for the Real Estate Industry, Section I, Article 1.

**Patricia Gallagher**, broker, Columbiana, Ohio, had her license suspended for 15 days, was ordered to complete and submit proof of completion to the Division of 10 hours additional education in the broker post-licensure course and to pay a \$2500.00 fine for failing to perform the terms of the agency agreement after Betty Belding removed herself as the salesperson representing the sellers in Betty Belding's purchase of the property in violation of R.C. 4735.18(A)(9) as it incorporates R.C. 4735.62(B) and/or failed to release the sellers from the listing agreement after Betty Belding removed herself as the salesperson representing the sellers in Betty Belding's purchase of the property in violation of R.C. 4735.18(A)(6). Further, Ms. Gallagher failed to personally oversee and direct the operations of Pat Gallagher Realty, with which her license was affiliated, with respect to the transaction involving the property at 3098 and 3140 Carrie Lane, Leetonia, Ohio in violation of R.C. 4735.18(A)(6), misconduct, as that section incorporates Section 1, Article 1 of the Canons of Ethics for the Real Estate Industry and/or R.C. 4735.18(A)(6), misconduct, as that section incorporates Section 1, Article 2 of the Canons of Ethics for the Real Estate Industry.

**Tekeah Reese**, salesperson, Columbus, Ohio, had her license suspended for 30 days and was to pay a \$100.00 fine for failing to correctly advise her client(s), Andrew Wood and/or Barbara Dick, who wanted to purchase the subject, the consequences of a Vacant Notice on the subject by the City of Columbus, Department of Development, Code Enforcement Division and/or failing to contact the Code Enforcement Division prior to her client(s) making an offer to purchase the subject. This conduct constitutes a violation of R.C. 4735.18(A)(9) as it incorporates R.C. 4735.62(A) and/or R.C. 4735.18(A)(6), misconduct as it incorporates the Canons of Ethics for the Real Estate Industry Section I, Article 4.

**Kimberly Johnson**, broker, Solon, Ohio, was ordered to complete and submit proof of completion to the Division of the 10-hour broker post-licensure course, 3 hours of additional education in ethics, 3 hours additional education in core law and to pay a \$5,000.00 fine for having knowledge and/or permitting her salesperson, Akil Shakir Hameed, to provide property management services through an unlicensed company and not through First Class Real Estate Services, LLC, her licensed brokerage with which Hameed's salespersons license was affiliated. This conduct is in violation of R.C. 4735.18(B) which provides that discipline may be imposed upon the broker with whom the salesperson is affiliated if the commission finds that the broker had knowledge of the salesperson's action. Further, Ms. Johnson had knowledge and/or permitted her salesperson, Akil Shakir Hameed and/or FASS Management Real Estate

## DISCIPLINARY ACTIONS

Services, an unlicensed company; to directly receive a commission, deposit, payment, and/or management fee in connection with property management in violation of R.C. 4735.18(A)(6), misconduct, as that section incorporates 4735.21. Such conduct is in violation of R.C. 4735.18(B) which provides that discipline may be imposed upon the broker with whom the salesperson is affiliated if the commission finds that the broker had knowledge of the salesperson's action.

**Carrie H. Igel**, salesperson, Columbus, Ohio, was ordered to pay a \$500.00 fine and to complete and submit proof of completion to the Division of 3 hours of additional education in ethics for scheduling and/or conducting showings under the name Christopher Reed; a licensed real estate salesperson affiliated with Classic Properties, LLC; when her license was affiliated with a different brokerage. This conduct is in violation of R.C. 4735.18(A)(6), misconduct as that section incorporates the Canons of Ethics for the Real Estate Industry, Section I, Article I and/or the Canons of Ethics for the Real Estate Industry, Section I, Article 2.

**Marilyn Vutech**, salesperson, Columbus, Ohio, was ordered to pay a \$1,000.00 fine and required to complete and submit proof of completion to the Division the 10-hour sales-licensure course for advertising in one or more of the following types of advertisements: open house signs; business cards; and/or her advertisements found in one or more print publications: in a manner that gave the appearance that Vutech/Ruff is a licensed Ohio real estate brokerage even though Vutech/Ruff is an unlicensed team name. This conduct is in violation of R.C. 4735.18(A)(3), R.C. 4735.18(A)(21) and/or R.C. 4735.18(A)(6), misconduct. Ms. Vutech also, in one or more of the following advertisements: open house signs; business cards; and/or her advertisements found in one or more print publications: published advertising which failed to display the brokerage name in equal prominence with the team name in violation of R.C. 4735.18(A)(21) as Ohio Administrative Code Rule 1301:5-1-21.

**Jeffrey Ruff**, salesperson, Columbus, Ohio, was ordered to pay a \$1,000.00 fine and required to complete and submit proof of completion to the Division the 10-hour broker post-licensure course for advertising in one or more of the following types of advertisements: open house signs; business cards; and/or his advertisements found in one or more print publications: in a manner that gave the appearance that Vutech/Ruff is a licensed Ohio real estate brokerage even though Vutech/Ruff is an unlicensed team name. This conduct is in violation of R.C. 4735.18(A)(3), R.C. 4735.18(A)(21) and/or R.C. 4735.18(A)(6), misconduct. Mr. Ruff also, in one or more of the following advertisements: open house signs; business cards; and/or his advertisements found in one or more print publications: published advertising which failed to display the brokerage name in equal prominence with the team name in violation of R.C. 4735.18(A)(21) as Ohio Administrative Code Rule 1301:5-1-21.

**Tracey Hartson**, salesperson, Reynoldsburg, Ohio, was ordered to complete and submit proof of completion to the Division of 3 hours of additional education in core law for offering 510 Napoleon Ave., Columbus, Ohio for sale without the knowledge and consent of the owner or the owners' authorized agent(s) in violation of R.C. 4735.18(A)(20) and/or in violation of R.C. 4735.18(A)(6), misconduct as it incorporates O.A.C. 1301:5-1-02(F) and offering 3832 Kirkwood Road, Columbus, Ohio for sale without the knowledge and consent of the owner or the owners' authorized agent(s) in violation of R.C. 4735.18(A)(20) and/or in violation of R.C. 4735.18(A)(6), misconduct as it incorporates O.A.C.1301:5-1-02(F).

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**Christopher L. Reed**, salesperson, Columbus, Ohio, was ordered to pay a \$1,500.00 fine and to complete and submit to the Division proof of completion of additional education in the 10-hour sales post-licensure course and 3 hours of ethics for approving a magazine advertisement that failed to include or use his correct real estate company name in violation of Ohio Revised Code Section 4735.18(A)(21) as that section incorporates Ohio Administrative Code Rule 1301:5-1-02(B) and for failing to provide assistance in a Division investigation when he informed the Division investigator that he did not have the opportunity to "proof" the magazine advertisement in Top Agent Magazine, which included the photograph of a home, when he did have the opportunity to "proof" the magazine advertisement, which included the photograph of a home, and he approved the use of the "proof" in the magazine in violation of Ohio Revised Code Section 4735.18(A)(6), misconduct as that section incorporates the Canons of Ethics for the Real Estate Industry, Section I, Article 3.

**James Guthery**, salesperson, Dayton, Ohio, had his license suspended for a period of 60 days and was ordered to pay a \$500.00 fine and to complete and submit to the Division proof of completion of additional education in the 10-hour sales post-licensure course and 3 hours of ethics for signing his client's name on transactional documents; including but not limited to agency disclosure statements, consumer guides, and purchase contracts; either without his client's consent and/or knowledge. This conduct is in violation of ORC 4735.18(A)(6), dishonest or illegal dealing, gross negligence, incompetency, or misconduct and/or this conduct is in violation of ORC 4735.18(A)(6), misconduct as it incorporates the Canons of Ethics for the Real Estate Industry, Section I, Article 1.

**Michael Casey**, salesperson, Gahanna, Ohio, had his license suspended for a period of 7 days and was ordered to pay a \$1,000.00 fine and to complete and submit to the Division proof of completion of additional education in 3 hours of ethics for his conviction on or about February 3, 2012, in the Franklin County Court of Common Pleas, of two first degree misdemeanor offenses, specifically: two counts of Receiving Stolen Property, in violation of R.C. §2913.51. These two misdemeanor convictions also constitute a violation of one or more of the following: Ohio Revised Code Section 4735.18(A)(6), dishonest or illegal dealing; Ohio Revised Code Section 4735.18(A)(6), misconduct; or Ohio Revised Code Section 4735.18(A)(6), misconduct, as that section incorporates the Canons of Ethics for the Real Estate Industry, Section I, Article 2 which provides a licensee should endeavor to eliminate in the community, any practices which could be damaging to the public or to the integrity of the real estate profession; and/or Ohio Revised Code Section 4735.18(A)(6) misconduct, as that section incorporates the Canons of Ethics for the Real Estate Industry, Section I, Article 1 which provides a licensee should endeavor to maintain and establish high standards of professional conduct and avoid even the appearance of impropriety in any activities as a licensee.

**Meg Michel**, broker, Marysville, Ohio, had her license suspended for a period of 30 days and was ordered to submit to the Division proof of completion of additional education in 3 hours of ethics for conducting an appraisal for the Office of the Union County Sherriff on land that she in whole or in part listed prior to and/or at the time of the appraisal in violation of R.C. 4735.18(A)(6), misconduct as it incorporates the Canons of Ethics for the Real Estate Industry Section I, Article 1 and/or R.C. 4735.18(A)(6), misconduct as it incorporates the Canons of Ethics for the Real Estate Industry Section I, Article 2.

**Dennis Eberhart**, broker, Cleveland, Ohio, received two 60 day suspensions, which ran concurrently, and was ordered to pay a \$2,000.00 fine and to complete and submit to the Division proof of completion of additional education in 3 hours of agency and 3 hours of core law for receiving commissions resulting from a sale that occurred in 2010 involving a property

## DISCIPLINARY ACTIONS

located at 1013-1015 North Main Street, Akron, Ohio and at 633 Elbur Avenue, Akron, Ohio where he failed to do one or more of the following: failed within a reasonable time to render an accounting to Jerry Jarvis, a real estate salesperson and/or failed within a reasonable time to pay Jerry Jarvis, a real estate salesperson, his earned share of the commission in violation of R.C. 4735.18(A)(31), R.C. 4735.18(A)(5) or R.C. 4735.18(A)(6), misconduct; and he engaged in misconduct when he failed to cooperate with the investigation in case number 2011-000529 in violation of R.C. 4735.18(A)(6), misconduct, as that section incorporates Canons of Ethics for the Real Estate Industry, Section 1, Article 3, which provides that a licensee should provide assistance wherever possible to the members and staff of the Real Estate Commission and Division of Real Estate in the enforcement of the licensing statutes and administrative rules and regulations.

**Donna Boutaleb**, broker, Delaware, Ohio, had her license suspended for a period of 60 days and was ordered to pay a \$2,000.00 fine and to complete and submit to the Division proof of completion of additional education in 3 hours of ethics and 3 hours of core law for failing to properly disclose or explain on the agency disclosure statement that you, as a dual agent, had a family relationship and/or business relationship with the seller of the subject property, Dr. Green Enterprises, LLC in violation of R.C. 4735.18(A)(6), misconduct, and/or R.C. 4735.18(A)(6), misconduct as that section incorporates Section II, Article 10 of the Canons of Ethics; for failing to notify the Ohio Real Estate Commission of a change in personal residence address in violation of R.C. 4735.18(A)(6), misconduct, as that section incorporates R.C. 4735.14(D), or in the alternative, you engaged in misconduct when you failed to cooperate with the investigation of case number 2011-000408 which constitutes a violation of R.C. 4735.18(A)(6), misconduct, and/or R.C. 4735.18(A)(6), misconduct as that section incorporates Canons of Ethics for the Real Estate Industry, Section I, Article 3; and for disclosing on a renewal application received by the Division in October of 2011 that she had not been disciplined in any manner by any public entity since her most recent filing with the Division for any violation of professional licensing law, regulation or ethical rule when she had been disciplined by the Commission in 2010 for conduct arising from Division case number 2009-700 in violation of R.C. 4735.18(A)(8) and/or R.C. 4735.18(A)(6), misconduct.

**Linda Burns**, broker, Uniontown, Ohio, had her license suspended for a period of 90 days and was ordered to complete and submit to the Division proof of completion of additional education in the 10-hour broker post-licensure course for receiving a commission involving the sale of 1781 Grace Road, Akron, Ohio, but failing within a reasonable time to remit or pay David Pontefract, a real estate broker, his earned share of the commission in violation of R.C. 4735.18(A)(5) or in the alternative R.C. 4735.18(A)(6), misconduct.

**David S. Ingalls**, broker, Columbus, Ohio was ordered to complete and submit to the Division proof of completion of additional education in 3 hours agency and to pay a \$250.00 fine for offering 1024 Montrose Avenue, Bexley, Ohio for sale without the knowledge and consent of both of the owners, or the consent of the owners' authorized agent(s) in violation of R.C. 4735.18(A)(20).

**Robert Bickis Sr.**, broker, Pickerington, Ohio was ordered to complete and submit proof of completion to the Division of 10 hours additional education in the broker post-licensure course for entering into an accommodation agreement with the complainants in case 2011-000246, but failing to comply with the terms of the accommodation agreement in violation Ohio Revised Code Section 4735.18(A)(6), misconduct as that section incorporates Ohio Administrative Code 1301:5-5-24.



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**Laney Ross**, broker, St. Clairsville, Ohio was ordered to complete and submit to the Division proof of completion of additional education in the 10 hour broker post-licensure course and ordered to pay a fine in the amount of \$250.00 for failing to exercise reasonable skill and care by failing to ensure that an addendum to the sales contract was signed by both parties prior to or at closing which constitutes a violation of R.C. 4735.18(A)(9) as it incorporates R.C. 4735.62(A). Further, Mr. Ross failed to keep complete and accurate records of the transaction for a period of three years from the date of the transaction when he failed to maintain a copy of the fully executed inspection repair addendum in violation of R.C. 4735.18(A)(24) and/or failed to provide assistance to the investigator when he failed to timely provide documents requested by the Division as part of the investigation in violation of R.C. 4735.18(A)(6), misconduct as it incorporates the Canons of Ethics for the Real Estate Industry.

**Gregory Robinson**, salesperson, Cleveland, Ohio, had his license suspended for a period of 15 days and ordered to complete and submit to the Division proof of completion of additional education in 3 hours of core law and 3 hours of ethics for his conviction on or about June 28, 2012, in the Cuyahoga Court of Common Pleas, Case Number CR-12-563235-A, of a felony offense, specifically, one count of Worker's Compensation Fraud, in violation of Revised Code Section 2913.48A(1). The felony conviction also constitutes a violation of Revised Code Section 4735.18(A).

**Daniel M. Glenn**, salesperson, Worthington, Ohio, was ordered to complete and submit to the Division proof of completion of additional education in agency and to pay a \$250.00 fine for failing to present an agency disclosure statement to both the buyer and the seller in violation of R.C. 4735.18(A)(6), misconduct, as that section incorporates R.C. 4735.58(A) and/or failed to maintain a complete and accurate record of the agency disclosure statement from the transaction in violation of R.C. 4735.18(A)(24).

**S. Bret Brunner**, salesperson, Westerville, Ohio, was ordered to complete and submit to the Division proof of completion of additional education in agency and to pay a \$250.00 fine for failing to present an agency disclosure statement to both the buyer and the seller in violation of R.C. 4735.18(A)(6), misconduct, as that section incorporates R.C. 4735.58(A) and/or failed to maintain a complete and accurate record of the agency disclosure statement from the transaction in violation of R.C. 4735.18(A)(24).

**David Mathue King**, broker, Wellington, Ohio was ordered to complete and submit to the Division proof of completion of additional education in the 10 hour broker post-licensure course and ordered to pay a fine in the amount of \$1,000.00 for receiving a commission on or about February 8, 2012, involving the sale of the property located at 5844 State Route 303, Wakeman, Ohio, but failing within a reasonable time to render an accounting to and/or pay Therese Dunwoodie, a real estate salesperson, her earned share of the commission in violation of R.C. 4735.18(A)(31) or in the alternative R.C. 4735.18(A)(6), misconduct and for receiving a commission, on or about January 20, 2012, involving the sale of the property located at 109 Clifton Street, New London, Ohio, but you failed within a reasonable time to render an accounting to and/or pay Therese Dunwoodie, a real estate salesperson, her earned share of the commission in violation of R.C. 4735.18(A)(31) or in the alternative R.C. 4735.18(A)(6), misconduct.

**Daniel Disalle**, broker, Maumee, Ohio, was ordered to complete and submit proof of completion to the Division of 3 hours of additional education in core law and to pay a fine

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in the amount of \$1,000.00 for inaccurately advertising the subject property located at 29620 Gleneagles #B, Perrysburg, Ohio as being available for FHA financing, which is in violation of R.C. 4735.18(A)(21), having published advertising, which was misleading or inaccurate in any material particular.

**Holly Ritchie**, salesperson, Salem, Ohio had her license suspended for 3 days, was ordered to pay a fine in the amount of \$2,000.00 and to complete and submit proof of completion to the Division of 3 hours additional education in ethics for failing to maintain and establish high standards of professional conduct and integrity in dealings with members of the public as well as with fellow licensees, and further, failing to avoid even the appearance of impropriety in any activities as a licensee with respect to the email you sent to Susan Colla-Morgione on May 11, 2012 concerning John Green and Samuel Pipino. This conduct is in violation of R.C. 4735.18(A)(6), misconduct, as that section incorporates the Canons of Ethics for the Real Estate Industry, Section 1, Article 1.

### UNLICENSED ACTIVITY

**Delitha Gail Sparks**, a person not licensed under Ohio Revised Code 4735, Cleveland, Ohio, was ordered to pay a civil penalty of \$1,499,000.00 for committing between the period of August 23, 2010 until on or about March 17, 2011, 149 violations of 4735.02 by renting, or leasing or negotiating the rental or lease of the subject property; offering, attempting, or agreeing to negotiate the rental or leasing of the subject property; managing or offering, or attempting to operate or manage the subject property; and/or holding himself out as engaged in the selling, exchanging, purchasing, renting, or leasing of real estate for another, for a fee, commission, or other valuable compensation or the expectation of a fee, commission, or other compensation. The conduct constituted 82 violations of R.C. 4735.02, which provides that no person, partnership, association, limited liability company, limited liability partnership, or corporation shall advertise, act or assume to act as a real estate broker or real estate salesperson, without first being licensed under R.C. Chapter 4735.

**GOA Realty, LLC**, Cleveland, Ohio, a company not licensed under Ohio Revised 4735 was ordered to pay a civil penalty of \$1,499,000.00 for committing between the period of August 23, 2010 until on or about March 17, 2011, 149 violations of 4735.02 by renting, or leasing or negotiating the rental or lease of the subject property; offering, attempting, or agreeing to negotiate the rental or leasing of the subject property; managing or offering, or attempting to operate or manage the subject property; and/or holding himself out as engaged in the selling, exchanging, purchasing, renting, or leasing of real estate for another, for a fee, commission, or other valuable compensation or the expectation of a fee, commission, or other compensation. The conduct constituted 82 violations of R.C. 4735.02, which provides that no person, partnership, association, limited liability company, limited liability partnership, or corporation shall advertise, act or assume to act as a real estate broker or real estate salesperson, without first being licensed under R.C. Chapter 4735.

**Paul Marcel- Rene**, Akron, Ohio, a person not licensed under Ohio Revised Code 4735, Akron, Ohio was ordered to pay a civil penalty of \$82,000.00 for committing 82 violations of RC 4735.02 by renting, or leasing or negotiating the rental or lease of the subject property; offering, attempting, or agreeing to negotiate the rental or leasing of the subject property; managing or

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offering, or attempting to operate or manage the subject property; and/or holding himself out as engaged in the selling, exchanging, purchasing, renting, or leasing of real estate for another, for a fee, commission, or other valuable compensation or the expectation of a fee, commission, or other compensation. The conduct constituted 82 violations of R.C. 4735.02, which provides that no person, partnership, association, limited liability company, limited liability partnership, or corporation shall advertise, act or assume to act as a real estate broker or real estate salesperson, without first being licensed under R.C. Chapter 4735.

**Our Wives Are In Charge, LLC**, Akron, Ohio, a company not licensed under Ohio Revised Code Chapter 4735 was ordered to pay \$82,000.00 for committing 82 violations of RC 4735.02 by renting, or leasing or negotiating the rental or lease of the subject property; offering, attempting, or agreeing to negotiate the rental or leasing of the subject property; managing or offering, or attempting to operate or manage the subject property; and/or holding himself out as engaged in the selling, exchanging, purchasing, renting, or leasing of real estate for another, for a fee, commission, or other valuable compensation or the expectation of a fee, commission, or other compensation. The conduct constituted 82 violations of R.C. 4735.02, which provides that no person, partnership, association, limited liability company, limited liability partnership, or corporation shall advertise, act or assume to act as a real estate broker or real estate salesperson, without first being licensed under R.C. Chapter 4735.